



Appeal Decision

Site visit made on 5 June 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/F3545/W/24/3356083

Land East of Rede Road, Whepstead, Suffolk IP29 4SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs O and M Power against the decision of West Suffolk Council.
 - The application Ref is DC/24/0631/OUT.
 - The development proposed is the erection of a detached self-build dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline. Access to the highway is the only matter committed for consideration. The scale, appearance, layout and landscaping of the development are reserved for future consideration ("the reserved matters") and do not represent firm proposals. Therefore, insofar as the reserved matters are shown on the submitted drawings, I have treated them as illustrating how the proposed scheme could be developed.
3. The Government published a revised National Planning Policy Framework ("the Framework") in December 2024. The main parties have had an opportunity to comment on the revised Framework through the relevant stages of the appeal timetable. Therefore, I am satisfied that no one has been prejudiced by the changes to the national policy context and it is unnecessary to seek the parties' views on the revised document. All references to the Framework in this decision relate to the revised document.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposed development would be in an appropriate location for new housing with particular regard to the spatial strategy in the development plan, accessibility to services and facilities, and its effect on the character and appearance of the area.
 - The effect of the proposed development on the safety of highway users in Rede Road, with particular regard to visibility.
 - The effect of the proposed development on Great Crested Newts (GCN).

Reasons

Policy context

5. Policy CS1 of the St Edmundsbury Local Development Framework Core Strategy December 2010 (“the CS”) sets a spatial strategy that seeks to focus new development within defined settlements to, amongst others, prioritise the protection of the natural and historic environment, the distinctive character of settlements and the ability to deliver infrastructure.
6. CS Policies CS4 and CS13 seek to focus development within defined settlements to maintain the sustainability of local services, whilst controlling development outside settlements to protect, amongst others, the character and appearance of the countryside. Development that is appropriate in rural areas will be set out in the Development Management DPD.
7. Settlement boundaries are defined in the St Edmundsbury Rural Vision 2031 (“the SERV”) September 2014. SERV Policy RV3 permits development within settlement boundaries. Policy DM5 of The Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document, February 2015 (“the JDMPD”) seeks to protect the countryside from unsustainable development and permit new buildings in accordance with other policies in the plan. This includes new buildings for small scale residential development of a small undeveloped plot in accordance with JDMPD Policy DM27.
8. JDMPD Policy DM27 states that new dwellings will be permitted in the countryside subject to being within a closely knit ‘cluster’ of 10 or more existing dwellings adjacent to or fronting an existing highway; and where the scale of development consists of infilling a small undeveloped plot by one dwelling or a pair of semidetached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built-up frontage. The Policy defines a small undeveloped plot as one which could be filled by one detached or a pair of semi-detached dwellings where the plot sizes and spacing between dwellings is similar to adjacent properties.
9. CS Policy CS3 seeks the protection of the landscape, and JDMPD Policies DM2 and DM22, seek for new development to recognise, address and maintain local distinctiveness and the special qualities of an area, including its landscape character, and important characteristics such as green or landscaped areas.

Whether an appropriate location for housing, and effect on character and appearance.

10. Whepstead is identified by CS Policy CS4 as an ‘Infill Village’, and it has a settlement boundary defined by the SERV. The settlement boundary encompasses the generally well consolidated rows of houses that form a continuous built frontage in a linear pattern along the northern side of Rede Road, and which continues along Old School Road. Although not in the countryside for planning purposes, the Council refers to the well-consolidated rows of dwellings within the defined settlement boundary of the village as a closely knit cluster for the purposes of JDMPD Policy DM27.
11. The appeal site is located outside of the defined settlement boundary of Whepstead and in the countryside for planning purposes. It is located some distance to the south of the closest dwelling within that closely knit cluster, on the

other side of the road, and beyond the point at which it curves and changes in alignment. The physical relationship between the appeal site and that cluster, including the distance of separation between them, which is emphasised by the curvature of the road, means that the appeal site does not read as opposite or adjacent to that cluster. Those factors prevent the appeal site, and thus a single dwelling built upon any part of it, from being within that cluster or forming part of the cluster's built-up frontage.

12. The collection of 3 dwellings roughly to the south of the appeal site are separated from the settlement boundary of Whepstead, and the well consolidated rows of dwellings within it, by a considerable distance, with intervening open land and some dense vegetation between them. The appeal site is immediately adjacent to one of those 3 dwellings. However, collectively they do not form part of the cluster of dwellings within Whepstead's settlement boundary, nor do they comprise of a cluster of 10 or more existing dwellings for the purposes of JDMPD Policy DM27.
13. Furthermore, apart from those dwellings to the south of the appeal site, there are no others in the area of the appeal site that front onto the same side of the road. The land to the north and east of the appeal site comprises predominantly of a large arable field which fronts the road. The appeal site could accommodate a single dwelling in spacious grounds and only a very large building could fill it. However, even if I were to consider the appeal site as a small plot for the purposes of JDMPD Policy DM27, any dwelling built on it would not infill a plot within an otherwise continuous built-up frontage.
14. Whilst there are similarities between the appeal proposal and a site elsewhere in the Council's area in Brockley, there are also significant differences. The Planning Inspector¹ found the Brockley plot to be within a closely knit cluster of at least 10 dwellings and that development of the plot would infill a gap framed by the adjacent development and within an otherwise continuous linear development along Mill Road. Accordingly, the Brockley appeal is of limited relevance and weight to my considerations in this appeal.
15. For the reasons given above, the appeal site and a single dwelling built upon it would be contrary to JDMPD Policies DM5 and DM27, the requirements of which are set out above. I interpret the reference to important gaps in JDMPD Policy DM27 as referring to important gaps within a continuous built-up frontage of a closely-knit cluster of dwellings. Given my conclusions above, I do not regard the appeal site as comprising such a gap.
16. There is no evidence before me of any suitable services and facilities within Whepstead that could meet the day-to-day needs of future occupiers. Occupants of the proposed dwelling could contribute to community life. However, other than the Public House on the opposite of Rede Road, a short walk away, I am not aware of any services, facilities or aspects of community life that future residents of the proposed development would support. Therefore, benefits in this regard would be very limited at best.
17. Whilst the appellants refer to a nearby bus stop, the evidence before me does not include any information on the frequency of services or destinations. It is therefore expected that future occupiers of the development would be heavily reliant upon the private car to access services and facilities in larger settlements, most likely in

¹ APP/F3545/W/22/3291947

Bury St Edmunds. The number of car journeys from a single dwelling would be relatively low. However, they would nonetheless add up over the lifetime of the development as would their negative effects in terms of greenhouse gas emissions.

18. In terms of the character and appearance of the area, the appeal site's frontage is lined by a dense row of sizeable deciduous trees that were in leaf at the time of my visit. The canopies of those trees, together with those on the opposite side of the road, create an attractively verdant tunnelled landscape feature on the approach to the village.
19. Whilst those trees and vegetation restrict public views into the appeal site, the appeal site's verdant vegetated condition and absence of built development is generally consistent with the rural and verdant character and appearance of the area. It is a component part of the landscape of woodlands and pastoral fields that surround the built-up area of the village, and which separate it from the looser knit small collection of dwellings to the south.
20. The parties have not identified the appeal site as comprising of a valued landscape within the terms of the Framework, and I find no basis to disagree. However, the appeal site nonetheless makes a positive contribution to the rural character and appearance of the area, including the landscape setting of the village and the intrinsic character and beauty of the countryside. My findings in this regard are not altered by an absence of formal landscape designations.
21. The submitted block plan indicates that some trees would need to be removed from the proposed visibility splays to facilitate the development. Together with the engineered appearance of the vehicular access, this would erode the verdant appearance of the site in views from the road and its positive contribution to the attractively verdant tunnelled landscape feature.
22. The appeal site could accommodate a small, single storey dwelling in a spacious plot similar to those to the south. It could be positioned anywhere within the appeal site, including behind the frontage trees. The appellants do not intend to remove the existing trees and planting from the appeal site, albeit they assert that no mechanism exists to preclude this. Therefore, it is reasonable to suppose that a future owner could seek their removal.
23. However, even if the trees and vegetation along the site boundaries were to be retained, those trees appeared to be deciduous, albeit some Ivy appeared to be attached to them. As such, I am not satisfied that they would fully screen a dwelling and its associated domestic paraphernalia in close distance views from the road, especially during the months between leaf fall and regrowth in the following spring. The development of the appeal site for a dwelling would therefore be expected to visibly consolidate built development on the undeveloped land between the village's built-up area and the looser-knit dwellings to the south.
24. In this position it would have a visibly urbanising effect that would erode the verdant character and appearance of the appeal site and area, and the rural landscape setting to the village's built-up area. It would blur the clear distinction between the village and the loose-knit pattern of dwellings to the south. There is limited evidence to demonstrate that a planting scheme would have anything more than a softening effect on the development. It would take a considerable time to become effective and there is no guarantee that it would remain in perpetuity. I

cannot be satisfied that a future occupier of the land would not seek to prune or thin-out planting.

25. Developing the appeal site for a single dwelling would therefore result in significant harm to the rural character and appearance of the area, including the landscape setting of the village and the intrinsic character and beauty of the countryside.
26. Taking all the above into account, I conclude that the appeal site would not be in an appropriate location for new housing with particular regard to the spatial strategy in the development plan, and its accessibility to services and facilities, and that developing it for a dwelling would have a harmful effect on the character and appearance of the area.
27. Consequently, the appeal proposal would be contrary to CS Policies CS1, CS3, CS4 and CS13, SERV Policy RV3, and JDMPD Policies DM2, DM5, DM13, DM22 and DM27, insofar as they seek to focus new development in defined settlements and restrict housing in the countryside to, amongst others, protect the countryside from unsustainable development, protect its character and appearance, and maintain local distinctiveness and the special qualities of the area.

Highway safety

28. Rede Road at the point of the proposed site access is a relatively narrow rural lane, forming part of a network of similar such rural routes connecting small settlements and a dispersed pattern of development within the countryside. The small number of properties nearby are served by vehicular accesses to the road. The evidence before me does not indicate that their use is detrimental to the safety of road users.
29. The speed limit on the stretch of road fronting the appeal site is 30 mph. At the time of my site visit on a weekday morning the flow of traffic passing the site was sporadic and at a very low level. It consisted of the occasional car being driven at relatively low speeds indicating that drivers are using caution given the relatively narrow width of the road and the presence of nearby properties and vehicle accesses. Although my visit was a snapshot in time, I have limited evidence to demonstrate that the traffic flow and vehicle speeds that I observed were abnormal.
30. There would be sufficient space within the appeal site for vehicles to turn and enter or exit the appeal site in a forward gear. A single dwelling would be expected to generate a small number of daily vehicle trips. There appears to be no dispute that the visibility splays shown either side of the access on the drawings would be contained either within the public highway or land in the control of the appellants. I have no reason to consider otherwise.
31. Drivers of vehicles approaching the appeal site, particularly travelling towards the village, would be aware of the small collection of houses and their accesses, including the Public House. They would likely be exercising a degree of caution on the approach to the appeal site and travelling at low speeds consistent with my observations at the site visit.
32. Despite the gentle curve in the road to the south, they would be able to see vehicles waiting on the proposed access to join the carriageway across viewing distances sufficient to react to their presence. Similarly, drivers of vehicles exiting

the appeal site would also be able to see road users in the carriageway across viewing distances sufficient to react to their presence and not emerge onto the carriageway in front of them. As such the probability of collisions between drives exiting the appeal site and road users within the carriageway would be sufficiently low.

33. Based on the combination of these factors, I am satisfied that the driver of a vehicle exiting the site, the drivers of vehicles travelling within the carriageway, and including cyclists or pedestrians within the carriageway, would be provided with adequate visibility to see each other and to safely react to each other's presence. I therefore conclude that the proposed development would not have a harmful effect on the safety of highway users, with particular regard to visibility, and therefore it would be consistent with JDMPD Policy DM2, insofar as it requires development to maintain or enhance the safety of the highway network. For the same reasons I find no conflict with the Framework's requirement for developments to achieve safe and suitable access.

Effect on GCN species

34. The appellants have submitted a Great Crested Newt Impact Assessment and Conservation Payment Certificate, signed by Natural England the Government's adviser for the natural environment. On this basis and in the absence of any substantive evidence to the contrary, I find that harm to GCN populations would be avoided, consistent with the objectives of JDMPD Policy DM11.

Other Matters

35. A dwelling on the appeal site would make a small but valuable contribution to the supply of housing in the Council's area, and deliver short term and long-term economic benefits through construction and occupation. It could be designed to use water and energy efficiently, including through air source heat pumps and efficient appliances. Biodiversity could be enhanced, including through planting. Travel by zero or low emission vehicles could be encouraged through charging points.
36. The appellants evidence, which has not been disputed, indicates that the Council is unable to demonstrate a 5-year supply of deliverable housing sites. However, even if the housing shortfall was acute, the benefits arising from a single dwelling would be small and future occupants would make only a limited positive contribution to using facilities and services in the wider area.
37. The proposed dwelling could be designed to meet a local housing need, albeit I am not aware of a particular need in Whepstead, or any mechanism to secure the dwelling as such. The extract from the West Suffolk Housing Strategy 2018 ("the WSHS"), indicates that rural housing is vital to the creation and maintenance of sustainable communities. However, as its objectives appear to broadly align with the development plan, which provides for housing in the countryside and rural settlements as a matter of principle, the WSHS is of limited additional relevance to the appeal proposal.
38. The appellants' evidence indicates that Policy LP25 from the emerging Local Plan confirms there were a number of entries on the Council's self-build register as of October 2023. However, there is no substantive evidence before me as to the current level of demand for self-build plots in the Council's area, or whether the

duty arising under the Self-Build and Custom Housebuilding Act 2015 (“the SBCHA”) is being met. Even if the Council’s duty under the SBCHA was not being met, without a mechanism in place to properly secure the appeal dwelling as a self-build or custom build development, this potential benefit attracts limited weight in its favour. Furthermore, Policy LP25 is not before me and therefore I cannot determine whether the appeal proposal would be consistent with it.

39. The appeal site is not at risk of flooding and the Council found no harm in respect of the living conditions of nearby occupiers, heritage assets or land contamination. I see no reasons to disagree with that assessment. I have found no harm to highway safety, ecology or protected species. Nonetheless, an absence of harm in these respects, including an absence of local objections, are neutral factors that do not weigh in favour or against the proposed development.

Planning Balance

40. Developing the appeal site for a single dwelling would be contrary to the locational requirements for new housing in the Council’s spatial strategy and it would harm the character and appearance of the area. This brings it into conflict with the development plan as a whole and I give significant weight to that conflict. The economic, social and environmental benefits of a single dwelling at the appeal site, including its contribution to housing supply and potential contribution towards the duty under the SBCHA, are small and attract modest positive weight in its favour.
41. The Council is currently unable to demonstrate a 5 year supply of housing land and therefore Framework Paragraph 11.d)ii., would apply and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is reflected in JDMPD Policy DM1 and SERV Policy RV1.
42. A dwelling on the appeal site could be delivered quickly to make a small but valuable contribution to boosting housing supply, and delivering some small economic, social and environmental benefits. The potential provision of a self-build or custom build home would broadly align with the Framework’s encouragement for providing opportunities for persons to occupy their own home built to their specifications. These benefits are of modest weight in favour of the appeal proposal.
43. In having regard to the caselaw referred to by the appellants, the appeal site is not remote or isolated, given its relative proximity to nearby homes. No evidence to the contrary has been advanced by any party. However, Framework Paragraph 83 states that housing in rural areas should be located where it would enhance or maintain the vitality of rural communities. I have found that any beneficial effects arising from future occupants supporting services, facilities and maintaining vital rural communities would be very limited.
44. Future occupants of a dwelling on the appeal site would be heavily reliant on the private car to access nearly all services, facilities and employment. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, based on the evidence before me, developing the appeal site for a dwelling would nonetheless conflict with the Framework’s objectives for managing patterns of growth to prioritise sustainable modes of transport and locating development where it would help reduce greenhouse gas emissions.

45. A dwelling on the appeal site would, for the reasons given above, harm the character and appearance of the area, contrary to the Framework's objectives of ensuring that developments are sympathetic to local character and landscape setting, including the countryside, which has intrinsic character and beauty.
46. Together, these harms carry significant weight against the development. Taking all the above into account, the appeal proposal's adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Consequently, the presumption in favour of sustainable development does not apply.

Conclusion

47. For the reasons given above, the proposed development would be contrary to the development plan and there are no other material considerations, including the benefits of the proposal and the provisions of the Framework, which outweigh this finding. The proposal is unacceptable, and the appeal should be dismissed.

G Sylvester

INSPECTOR